

REMARKS

Claims 1-12 have been examined and have been rejected under 35 U.S.C. § 103(a).

I. Preliminary matters

The Examiner has objected to the Abstract because it contains the phrase “comprises” and because it is a single sentence. Applicants submit that the amendments to the Abstract overcome the objection.

II. Rejection under 35 U.S.C. § 103(a) over U.S.P. 5,954,805 to Brusky et al. (“Brusky”)

Claims 1-12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Brusky. Applicants submit that the claims are patentable over the cited reference.

A. Claim 1

Applicants submit that claim 1 would not have been obvious over Brusky. For example, claim 1 relates to a data processing apparatus that comprises a state-change detection device that detects whether or not a processing state of the data processing apparatus changes while the data processing apparatus is connected to a central processing apparatus.

The Examiner contends that (1) the CD-ROM drive 22 shown in Fig. 1 of Brusky corresponds to the claimed data processing apparatus, (2) the personal computer 14 corresponds to the claimed central processing apparatus, and (3) the presence detector 56 corresponds to the claimed state-change detection device. Applicants respectfully submit that the Examiner is misinterpreting and/or misapplying the teachings of the reference.

For example, the claim states that the data processing apparatus (and not the central processing apparatus) comprises the state-change detection device. However, as clearly shown in Fig. 1, the alleged state-change detection device (i.e. the presence detector 56) is contained within the alleged central processing apparatus (i.e. the personal computer 14).

In an illustrative, non-limiting embodiment of claim 1, providing the state-change detection device within the data processing apparatus rather than within a personal computer has several advantages. For example, as described on pages 24-25 of the present application, such a configuration relieves the personal computer PC of the duty of monitoring the mounting process of a recording medium within a data processing apparatus (e.g. a drive D).

In addition, claim 1 states that the data processing apparatus comprises a bus initialization device that initializes a bus device when the state-change detection device detects a change in the processing state of the data processing apparatus. On page 4 of the Office Action, the Examiner acknowledges that Brusky does not explicitly disclose the claimed bus initialization device and does not explicitly disclose that such a device initializes the bus device in the claimed manner. However, the Examiner states, without any proof or evidence of any motivation, that such features would have been obvious to one skilled in the art.

Applicants submit that the Examiner has not established a *prima facie* case of obviousness. First, the Examiner acknowledges that Brusky does not disclose a bus initialization device. Second, the Examiner acknowledges that Brusky does not disclose initializing a bus device when a change in the processing state of the data processing apparatus is detected. Nonetheless, the Examiner takes the position that, not only providing a general bus initialization device would have been obvious, but that it would have been further obvious to provide a bus

initialization device that initializes a bus device when a change in the processing state is detected.

The Examiner's reliance on column 5, lines 12-32, of Brusky does not support his allegation that the claimed bus initialization device would have been obvious. Specifically, the cited portion of Brusky merely describes the operation of the auto run file detector 64, the presence detector 56, the selector 68, and the program launcher 72. This description does not suggest the general initialization of a bus device, let alone the initialization of a bus device when a change in a processing state has been detected. Moreover, contrary to the Examiner's contention on page 4 of the Office Action, the alleged bus device 24 does not have to be initialized to a predefined state for data to be processed.

Also, the Examiner does not specify where the claimed bus initialization device (as well as the connection-detection device) are located. However, based on the Examiner's analysis, he seems to imply that such devices are located within the alleged central processing apparatus (i.e. the personal computer 14). However, as noted above, such devices are contained within the data processing device, and not the central processing apparatus.

In light of the discussion above, Applicants submit that claim 1 is patentable over Brusky.

B. Claims 2-4

Since claims 2-4 depend upon claim 1, Applicants submit that they are patentable at least by virtue of their dependency.

C. Claim 5

Since claim 5 contains features that are similar to the features recited in claim 1, Applicants submit that the claim is patentable for similar reasons.

D. Claims 6-8

Since claims 6-8 depend upon claim 5, Applicants submit that they are patentable at least by virtue of their dependency.

E. Claim 9

Since claim 9 contains features that are similar to the features recited in claim 1, Applicants submit that the claim is patentable for similar reasons.

F. Claims 10-12

Since claims 10-12 depend upon claim 9, Applicants submit that they are patentable at least by virtue of their dependency.

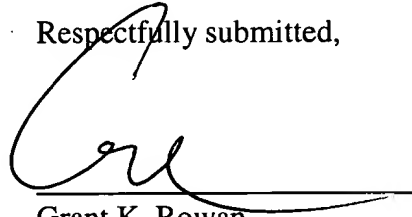
III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/925,684

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Grant K. Rowan', is written over a horizontal line.

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